

HOUSE BILL 2299  
By McMillan

AN ACT to amend Tennessee Code Annotated,  
Section 68-1-904, relative to the  
administration of medications.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-1-904(c), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(c) The department of finance and administration, division of mental retardation, shall provide training for unlicensed individuals who administer medications to individuals incapable of self-administration. The training shall be provided only to unlicensed individuals who are employed by agencies licensed under title 33 or agencies under contract to provide residential or adult day programs for persons with mental retardation. Such unlicensed personnel shall not administer intravenous, intramuscular, and certain subcutaneous injectable medications as defined by rule. The department of finance and administration, division of mental retardation, in consultation with the board of nursing, shall promulgate rules, including public necessity rules, to provide for competency-based training, education, and appropriate monitoring of the unlicensed personnel covered by this subsection who shall have the authority to perform the services provided for in this subsection, notwithstanding the provisions of any other statute or rule. Such unlicensed personnel shall be exempt from the licensing requirements contained in Tennessee Code Annotated, Title 63, Chapter 7, Section 1 and rules promulgated thereto.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it.